

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v.-

ROBERT COPLAN, MARTIN NISSENBAUM,  
RICHARD SHAPIRO, BRIAN VAUGHN,  
DAVID L. SMITH, and CHARLES BOLTON

Defendants.

**NOTICE OF PRETRIAL MOTION  
FOR CHARLES BOLTON**

(S1) 07 Cr. 453 (SHS)

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in Support of the Motion to Transfer Venue under Federal Rule of Criminal Procedure 21(b) and declaration of Mark A. Racanelli, Esq., together with supporting declarations attached thereto, the defendant, Charles Bolton, will move this Court, before the Honorable Sidney H. Stein, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, at a time and date to be set by the Court, for the following relief:

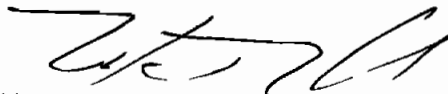
1. For an Order, pursuant to Rule 21(b) of the Federal Rules of Criminal Procedure, directing that, in the interests of justice and for the convenience of the parties and witnesses, the trial of Mr. Bolton on the charges against him in the Superseding Indictment be transferred to the Western District of Tennessee, where Mr. Bolton lives and works;
2. In the alternative, for an Order, pursuant to Federal Rule of Criminal Procedure 14(a), severing Mr. Bolton's trial from that of his co-defendants;
3. We join in all other motions made by any co-defendant to the extent that the requested relief is applicable to Mr. Bolton; and
4. We respectfully reserve the right to make additional discovery motions

based on our review, after the date of this filing, of any discovery the Government has already, or may in the future, produce.

Dated: May 5, 2008  
New York, New York

Respectfully submitted:

O'MELVENY & MYERS LLP



By: \_\_\_\_\_  
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*Attorneys for Defendant*  
Charles Bolton

TO: Clerk of the Court  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007  
(By ECF)

Honorable Sidney H. Stein  
United States District Judge  
Southern District of New York  
(By Courtesy Copy Mailed to Chambers)

Deborah Landis, Esq.  
Lauren Goldberg, Esq.  
Marshall A. Camp, Esq.  
U.S. Attorney's Office  
Southern District of New York  
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New York, New York 10007  
(By ECF and Regular Mail)

All Defense Counsel of Record  
(By ECF)

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Defendants.

**CERTIFICATE OF SERVICE**

(S1) 07 Cr. 453 (SHS)

Hon. Sidney H. Stein

I, SHIVA EFTEKHARI, hereby certify that on May 5, 2008, I served via Federal Express and e-mail true and correct copies of Charles Bolton's Memorandum of Law in Support of the Motion to Transfer Venue under Federal Rule of Criminal Procedure 21(b) and accompanying documents on the counsel listed below:

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Dated: May 5, 2008  
New York, New York

  
Shiva Eftekhari